

THE ZONING COMMISSION
Town of New Fairfield
New, Fairfield, CT 06812
REGULAR MEETING MINUTES
DATE: July 5, 2023
TIME: 7:30 pm
Virtual Meeting Via Zoom

Call to Order

John Moran called the meeting to order at 7:31 pm.

Present

John Moran, Kevin VanVlack, Mark Lamanna, Jane Landers, Joan Archer (absent), Tomas Kavaliauskas (alternate), Gary Mummert (alternate-absent), and Town Official Zoning Enforcement Officer Evan White (absent).

John Moran elevated Tomas Kavaliauskas to a voting member.

Public Comment

Guyllen Danyelle Connors, 17A East Lake Road, speaking on behalf of the children and motorists who walk or drive to the middle school and high school. She is concerned about the children who cross on Gillotti Road from the neighborhoods of Erin Drive and East Lake Road which currently does not have flashing lights and/or a crosswalk. It looked like there was construction of a crosswalk that began but was then covered up. She is requesting a response concerning the safety of these children and the implementation of a crosswalk. John Moran stated that the Zoning Commission previously approved a crosswalk in that area for the safety of these kids and that information has been forwarded to the First Selectman. Kevin VanVlack stated that it is one of the primary charters of the Zoning Commission is the safety of children while crossing the road.

Terra Volpe, lives on Smoke Hill Dr, stated she would like to understand how traffic will be controlled in the Gillotti Road area for both cars and pedestrians. She would like to understand who is the contact for communication regarding the crosswalk. John Moran stated that the communication and implementation of the crosswalk is up to the PBC. The suggestion by the town engineer was for there to be a flashing light that can be pushed when a pedestrian would like to cross in the crosswalk. Kevin VanVlack stated that the enforcement of the speed would have to go back to the Board of Selectman who can then bring in law enforcement.

Kerri Ahern, 3 Smoke Hill Drive, raised a concern regarding the crosswalk and thanked the Zoning Commission for the support in getting the crosswalk implemented.

Kevin Ahern, 11 Wood Stick Road, raised a concern regarding the crosswalk and is happy to hear that the crosswalk has been approved and that there will not be a CO completed until the crosswalk is in place.

Public Hearing

1) Discussion of Extension of Moratorium of Retail sales of Cannabis in the Town of New Fairfield

John Moran explained the moratorium and that it can be extended for one more year while the Zoning Commission is in the process of rewriting regulations.

There was not any public comment.

Jane Landers questioned that if one business is allowed then would additional business have to be allowed. John Moran stated that if the business follows adheres to the zoning laws, then it would be allowed.

Kevin VanVlack made a motion to close the public hearing of the Extension of Moratorium of Retail sales of Cannabis in the Town of New Fairfield. Jane Landers seconded the motion.

John Moran	Yes
Kevin VanVlack	Yes
Jane Landers	Yes
Mark Lamanna	Yes
Tomas Kavaliauskas	Yes

2) SP-23-008-Special Permit for 2 & 4 Biggs Avenue – For construction of a new 16’x22’- Under Section 3.1.2(A) Public Utilities & Buildings treatment facility. Applicant – Aquarion Water Company.

Tomas Kavaliauskas raised a concern about the look of the building and requested a change to the look of the building to look like the building over by Ball Pond due to the removal of current vegetation. Mike Hiltz, from Aquarion Water Company, stated that he would prefer to not change from the split face block look. He stated that there would be quite a bit of vegetation between the road and the building. Don Snyder, Snyder Civil, stated that on the southernly side there is a setback, which is the front yard, and made efforts to maintain the natural vegetation and trees along that line. On the westerly side there will be two trees removed which will be replaced with four arborvitaes. He stated that the split face block has better longevity, security, and is more secure with the concrete blocks. Mike Hiltz stated that there is room for more landscaping on the Biggs frontage as an alternative to switching over to clapboard. Jane Landers asked if it was a matter of cost. Don Kellogg stated it is a wood frame vs concrete/masonry units.

There was not any public comment.

Kevin VanVlack made a motion to close the public hearing for SP-23-008-Special Permit for 2 & 4 Biggs Avenue – For construction of a new 16’x22’- Under Section 3.1.2(A) Public Utilities & Buildings treatment facility. Applicant – Aquarion Water Company. Jane Landers seconded the motion.

John Moran	Yes
Kevin VanVlack	Yes
Jane Landers	Yes
Mark Lamanna	Yes
Tomas Kavaliauskas	Yes

Business Items

1) Discussion of Extension of Moratorium of Retail sales of Cannabis in the Town of New Fairfield

Kevin VanVlack made a motion to approve the extension of the Moratorium of Retail sales of Cannabis in the Town of New Fairfield for an additional year. Jane Landers seconded the motion.

John Moran	Yes
Kevin VanVlack	Yes
Jane Landers	Yes
Mark Lamanna	Yes
Tomas Kavaliauskas	Yes

2) Approval of SP-23-008-Special Permit for 2 & 4 Biggs Avenue – For construction of a new 16’x22’- Under Section 3.1.2(A) Public Utilities & Buildings treatment facility. Applicant – Aquarion Water Company

Kevin VanVlack made a motion to approve SP-23-008-Special Permit for 2 & 4 Biggs Avenue – For construction of a new 16’x22’- Under Section 3.1.2(A) Public Utilities & Buildings treatment facility. Applicant – Aquarion Water Company with the stipulation that a review of the landscape prior to the final permit (CO). Jane Landers seconded the motion.

John Moran	Yes
Kevin VanVlack	Yes
Jane Landers	Yes
Mark Lamanna	Yes
Tomas Kavaliauskas	Yes

3) Approval of SI-23-013 - Site Plan for 249 State Rt 39 – For the addition of retail use for the renting of kayaks and paddleboards - operated as Candlewood Kayak Rental, a subsidiary of ViBe Wellness LLC. Under Section 4.1-BC and Section 7.2-Non-conforming use(s), building(s), and structure(s). Applicant – Candlewood Kayak Rental, a subsidiary of ViBe Wellness LLC.

John Moran stated that he spoke with the Zoning Enforcement Officer and everything has been checked off.

Tomas Kavaliauskas questioned the storage of items. He said that currently the storage is outside or if it will be stored in a locked facility. John Moran stated that the storage would be outside during the summer months and inside other months. Tomas Kavaliauskas requested that a stipulation be put in place for storage during the winter months to be inside.

Kevin VanVlack made a motion to approve SI-23-013-Site Plan for 249 State Rt 39 – For the addition of retail use for the renting of kayaks and paddleboards - operated as Candlewood Kayak Rental, a subsidiary of ViBe Wellness LLC. Under Section 4.1-BC and Section 7.2-Non-conforming use(s), building(s), and structure(s). Applicant – Candlewood Kayak Rental, a subsidiary of ViBe Wellness LLC with the stipulation that equipment be stored inside during the winter months. Jane Landers seconded the motion.

John Moran	Yes
Kevin VanVlack	Yes
Jane Landers	Yes
Mark Lamanna	Yes
Tomas Kavaliauskas	Yes

4) Accepting of SP-23-014-Special Permit for 9 Pettit St– For renovations and additions due to the corner lot frontage regulation as well as the overly shallow lot. Under Section 1.5.9 – Corner lots – item (C) – Reduction request of 1 of 2 frontages for a corner lot. Applicant Robert Kordas.

Kevin VanVlack made a motion to accept SP-23-014-Special Permit for 9 Pettit St– For renovations and additions due to the corner lot frontage regulation as well as the overly shallow lot. Under Section 1.5.9 – Corner lots – item (C) – Reduction request of 1 of 2 frontages for a corner lot. Applicant Robert Kordas. Jane Landers seconded the motion.

John Moran	Yes
Kevin VanVlack	Yes
Jane Landers	Yes
Mark Lamanna	Yes
Tomas Kavaliauskas	Yes

5) Approval of SI-23-015 – Site Plan for 5 State Route 39, Unit B – For use as a Travel Agency and signage. Under Section 4.1 Business/Commercial. Applicant – Vincent Rizzo.

Kevin VanVlack made a motion to approve SI-23-015-Site Plan for 5 State Route 39, Unit B – For use as a Travel Agency and signage. Under Section 4.1 Business/Commercial. Applicant – Vincent Rizzo. Jane Landers seconded the motion.

John Moran	Yes
Kevin VanVlack	Yes
Jane Landers	Yes
Mark Lamanna	Yes
Tomas Kavaliauskas	Yes

Minutes

1) **June 7, 2023 - Regular Meeting** – postponed until the August 2, 2023 meeting.

Correspondence

John Moran stated that all towns people that have a short-term rental will receive a letter notifying them of the rules and regulations regarding short-term rentals as well as giving them a timeframe to come in and make the rental legal.

A discussion was held on other towns and what they are doing for enforcement.

Enforcement Actions

None given due to the town Zoning Enforcement Officer not in attendance.

Additional Items

The litigation item is in the judge’s hands with rebuttals going back and forth from each attorney.

Adjournment

Kevin VanVlack made a motion to adjourn the meeting at 8:14 pm. Jane Landers seconded the motion.

All in favor.

Received by email on 07/10/2023 @ 9:42 a.m.
by Chrystie M. Bontempo, Asst. Town Clerk, New Fairfield